

HARVEY SISKIND LLP
D. PETER HARVEY (SBN 55712)
Email: pharvey@harveysiskind.com
MATTHEW A. STRATTON (SBN 254080)
Email: mstratton@harveysiskind.com
Four Embarcadero Center, 39th Floor
San Francisco, California 94111
Telephone: (415) 354-0100
Facsimile: (415) 391-7124

Attorneys for Plaintiff WIMAX FORUM

HANSON BRIDGETT LLP
ARMAN JAVID (SBN 191572)
Email: ajavid@hansonbridgett.com
425 Market Street, 26th Floor
San Francisco, CA 94105
Telephone: (415) 777-3200
Facsimile: (415) 995-3571

EDWARDS ANGELL PALMER & DODGE LLP
STEVEN M. COWLEY (*pro hac vice*)
Email: scowley@eapdlaw.com
YEWON MIN (SBN 226267)
Email: ymin@eapdlaw.com
111 Huntington Ave
Boston, MA 02199
Telephone: (617) 951-2283
Facsimile: (888) 325-9103

Attorneys for Defendants

YANKEE GROUP RESEARCH, INC., WEINMAN CORPORATION, and ELIOT WEINMAN

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

WIMAX FORUM, a California corporation,
Plaintiff,

v.

YANKEE GROUP RESEARCH, INC., a
Delaware corporation, WEINMAN
CORPORATION, a Massachusetts corporation,
ELIOT WEINMAN, an individual, and Does 1-
25,

Defendants.

Case No. 3:09-cv-1623-SBA

**JOINT REQUEST TO EXTEND
DEFENDANTS' TIME TO ANSWER THE
COMPLAINT AND RESCHEDULE
OTHER PRETRIAL DEADLINES**

The parties hereby submit this Joint Request to Extend Defendants' Time to Answer the Complaint and Reschedule Other Pretrial Deadlines. On September 29, 2009, representatives of WiMAX Forum ("Plaintiff") and defendants Yankee Group Research, Inc., Weinman Corporation, and Eliot Weinman ("Defendants") mediated this matter before Anthony M. Keats, Esq. of Keats McFarland & Wilson LLP. The mediation lasted approximately nine hours. Although significant progress was made, the parties did not reach a settlement.

The parties remain committed to trying to settle the matter. To that end, Plaintiff's Board of Directors plans to consider the pending settlement proposal at its meeting scheduled for October 28-29, 2009. In the interest of judicial economy and to conserve the resources of the parties, Plaintiff and Defendants jointly request that the Court reschedule the upcoming pretrial deadlines. The parties now jointly request that the following pretrial deadlines be postponed approximately 45 days from the current deadlines:

- November 20, 2000: Defendants' deadline to respond to the complaint
- December 4, 2009: parties' deadline to submit Joint Case Management Statement
- December 16, 2009 (3:00pm): Case Management Conference

Respectfully submitted,

Dated: October 9, 2009

HARVEY SISKIND LLP
D. PETER HARVEY
MATTHEW A. STRATTON

By: /s/
Matthew A. Stratton

Attorneys for Plaintiff
WIMAX FORUM

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Dated: October 9, 2009

EDWARDS ANGELL PALMER & DODGE LLP

STEVEN M. COWLEY
YEWON MIN

HANSON BRIDGETT LLP
ARMAN JAVID

By: /s/
YeWon Min

Attorneys for Defendants
YANKEE GROUP RESEARCH, INC.,
WEINMAN CORPORATION, and ELIOT WEINMAN

I hereby attest that concurrence in the filing of this document has been obtained from each of the other signatories which shall serve in lieu of their signatures on this document.

/s/
Matthew A. Stratton

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT:

1. The Defendant's deadline to respond to the complaint currently scheduled for September 24, 2009, shall be **CONTINUED to November 20, 2009**; and
2. The Case Management Conference currently scheduled for November 4, 2009, shall be **CONTINUED to December 16, 2009, at 2:45 p.m.** The parties shall **meet and confer** prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than ten (10) days prior to the Case Management Conference that complies with the Standing Order For All Judges Of The Northern District Of California and the Standing Order of this Court. Plaintiffs shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date and time.

Dated: 10/19/09


The Honorable Sandra Brown Armstrong
United States District Judge